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RUEHOT/AMEMBASSY OTTAWA PRIORITY 0809
RUEHTC/AMEMBASSY THE HAGUE PRIORITY 0226
RUEHKO/AMEMBASSY TOKYO PRIORITY 2097
RUEHCG/AMCONSUL CHENNAI PRIORITY 6540
RUEHBI/AMCONSUL MUMBAI PRIORITY 4453
RUEHON/AMCONSUL TORONTO PRIORITY 0030
RUEHBS/USEU BRUSSELS PRIORITY
RUEKDIA/DIA WASHDC PRIORITY
RUEHGV/USMISSION GENEVA PRIORITY 1131
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C O N F I D E N T I A L SECTION 01 OF 03 COLOMBO 000613

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SUBJECT: CO-CHAIRS DISCUSSION: STILL SLIM CHANCE FOR GENEVA
TALKS ON APR 24, CO-CHAIRS MEETING IN TOKYO ON 24TH
POSSIBLE IF GENEVA FALLS THROUGH BUT DIFFICULT; EU LISTING
DECISION ON LTTE LIKELY SOON

Classified By: Ambassador Jeffrey J. Lunstead for reasons
1.4 (b) and (d).

¶1. (C) SUMMARY: Co-Chair reps met in Colombo April 17. Problems on both sides led to failure of transport of Tiger leaders on April 15, but Tigers bear most blame. There is one last chance to arrange transportation by civilian helicopter, which could allow Geneva to take place April 24-25 as planned. Co-Chairs Senior-level meeting in Tokyo planned for April 24 will be difficult to hold even if Geneva is cancelled. Japanese Special Envoy Akashi plans to visit Sri Lanka beginning May 6. EU may decide on a terrorist listing for LTTE at COADSI meeting mid-May. If Geneva II does not take place, local reps predict a listing is inevitable. Legal implications of a listing for SLMM--now headed by a Swede--are not clear, but could be troublesome. SLMM will present its report on events since Geneva I to Norway on April 18--the report will likely anger both sides. Key government figure expresses frustration and fears greater violence to come. END SUMMARY.

One Last Try on Transport

¶2. (C) In the face of escalating violence in the North over the past week, local Co-Chair representatives (Chiefs of Mission of US, EC, Netherlands representing EU Presidency, Japan and Norway) met April 17 to discuss events over the preceding long holiday weekend and implications for the future. Norwegian Ambassador Brattskar said that breakdown on April 15 of arrangements for sea transport of LTTE leaders from East to North (septel) was because "things happened on both sides." Nonetheless, he admitted, the Tigers reneged on an agreed procedure, which he attributed to their "lack of confidence" in the GSL. Brattskar is working on one more option--transport of some LTTE cadres by commercial

helicopter. This is possible, he said, if the GSL wants it to happen. He added that at least some people in the GSL were trying to make this work. If this could be arranged quickly, it might still be possible to hold Geneva II as scheduled on April 24. Brattskar continued that Norway has decided to bring Special Envoy Jon Han ssen-Bauer back to Sri Lanka beginning April 18 through the end of the week.

High-Level Meeting Still Possible

13. (C) Brattskar said that Norway still wants to have a high-level Co-Chairs meeting. Japanese Ambassador Suda said that even if Geneva II did not take place as scheduled, it was not possible to have the meeting scheduled for Tokyo on April 24, as it would be "impossible to prepare" on such short notice. (NOTE: Ambassador Brattskar told Ambassador Lunstead April 16 that Eric Solheim wanted to continue with the Co-Chairs meeting as planned if Geneva II did not take place as scheduled.) Suda added that Japanese Special Envoy Akashi now planned to visit Sri Lanka on May 6 for about a week; perhaps the high-level meeting could take place after that. When Ambassador Lunstead pressed if April 24 were definitively off the table, Suda backed up, saying that he had nothing formal from Tokyo and that it was his opinion that the meeting should not take place then. He thought that if Geneva II did not occur, the Co-Chairs would need to take some serious policy decisions, and this would require more preparation time. Suda made clear that the Japanese expected the next co-chairs meeting, whenever it is held, to be in Tokyo.

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EU to Designate LTTE?

14. (C) EU Ambassador Wilson said that if Geneva II did not take place, there would be strong momentum within the EU to designate the LTTE as a terrorist organization. Netherlands Ambassador van Dijk confirmed that the EU had already decided that the LTTE deserved to be listed. The EU was only holding off because of the ongoing peace process. EU Missions in Sri Lanka would need to make recommendations shortly, and the issue would then be taken up at a COASI meeting in mid-May. Van Dijk made it clear he thought the EU should and would list the Tigers.

15. (C) EU reps said implications of a listing were not all clear. The main legal impact would be to make funding or other assistance to Tigers illegal. While not legally required, from a political perspective a listing would make continued contact with the LTTE difficult. One possible complication would be with the Sri Lanka Monitoring Mission (SLMM), whose Head and Deputy are now Swedes, and whose staff comes from Iceland, Sweden, Denmark and Finland, in addition to non-EU member Norway. The SLMM certainly provides certain types of assistance to the LTTE, such as arranging, and sometimes paying for, transport. These actions are in support of the peace process, but technically might be illegal after a listing. Brattskar said that this could cause huge problems for Norway. (Norway just recently gave up leadership of SLMM to a Swede to counter arguments that its dual role as peace process facilitator and head of SLMM was a conflict of interest.)

SLMM Report Coming

16. (C) Brattskar said that the SLMM report on how the LTTE and the GSL had adhered to their commitments at Geneva I would be given to Norway April 18. The original plan was to present the report to both parties at Geneva II. If that meeting did not take place, Brattskar was unsure what would happen. He believed it would be useful to make the report

public. While he had not seen the report, he was sure that it would "go far on every issue," and would likely displease both sides for its criticism of their failures to follow through on their commitments.

GSL Frustrated, Restraint Being Challenged

¶7. (C) After Co-Chairs meeting, Ambassador spoke with Peace Secretariat Head Palitha Kohone. Palitha said that he had met

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with the Navy Commander and SLMM Head that morning to discuss the events of Saturday, but still could not understand why the LTTE pulled out of the sea transport. With claymore mine attacks continuing, he said, a point will arrive where the GSL will no longer be able to exercise restraint. "The LTTE is trying to create a situation like 1983," he said. (A reference to the anti-Tamil riots of July 1983 in which thousands of Tamils died.) "Then they will blame the government." Kohone continued that he had managed to convince the military to agree to the idea of LTTE transport in a civilian helicopter, and had talked to the private operator to tell them that the GSL agreed with this proposal. Lamenting the continuous string of mine attacks, an obviously frustrated Kohone said that "it is getting to the point where people like me will be ignored," and the military will not be restrained.

¶8. (C) COMMENT: Brattskar did not say so explicitly at the

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meeting, but it is clear Norway thinks a Co-Chairs high-level meeting should be held soon if Geneva II falls through. All other local representatives, except Japanese Ambassador, were clear that a delay until mid-May after an Akashi visit was too long to wait. Our own view is that the Tigers simply do not want to go to Geneva, and will find some other excuse if necessary. In that case, our view is that an early Co-Chairs meeting, which would make clear that the LTTE bears the brunt of the blame for the breakdown in the peace talks, is desirable. April 24 is tight but still doable--if senior officials make it clear this needs to happen. Kohone's lament illustrates a dangerous trend: while the military remains firmly under civilian control here, they will push for more robust retaliation, and in the absence of some change in the situation, will get that approval sooner or later. The result, however, will not be a diminution of the bloodletting, but a widened conflict with tragic consequences for the civilian population. That might be just what the Tigers, in their callous and cold-blooded calculations, want.

LUNSTEAD